



Office of the Secretary  
of Transportation

**U.S. DEPARTMENT OF TRANSPORTATION**

**DOCKETS**

Washington, D.C. 20590

98-33

**Weekly Summary of Orders and  
Regulations**

**AUGUST 10 – AUGUST 14, 1998**

<b>Order</b>	<b>Docket</b>	<b>Summary</b>	<b>Date Action Taken</b>
98-8-1	OST-98-4082	(#) Published in the Federal Register. The Department approves and grants antitrust immunity to the IATA Agreement, subject, where applicable, to conditions previously imposed which increases all passenger fares, except add-on fares and related charges, from Lesotho, Namibia, South Africa and Swaziland to points in Africa, the Middle East, Asia, Australia and the Pacific Islands by twelve percent; and to points in the Western Hemisphere and Europe by fifteen percent to offset the continued depreciation of the various national currencies. Served 8-10-98	8-4-98
98-8-2	OST-98-4125	The Department approves and grants antitrust immunity to the IATA Agreement, subject, where applicable, to conditions previously imposed which concerns proportional fares, established under the provisions of Resolution 015h, which are used to construct through fares between interior U.S. points and the United Kingdom. As part of an automated biannual review process under that resolution, the agreement revises add-on fare levels for approximately 450 U.S. cities to be used in constructions over a total of 22 U.S. gateways to reflect changes in U.S. domestic fares. While the specific gateway for each interior point is named in the agreement, through fares constructed using the revised add-on fares are available for travel via any gateway. A carrier may also amend the add-on amounts at any time. The proposed add-on fares reflect current U.S. domestic fares between each U.S. interior point and the named U.S. gateway.	8-4-98

Order	Docket	Summary	Date Action Taken
		Served 8-10-98	
98-8-3	OST-98-3985 OST-98-4015	<p>The Department approves and grants antitrust immunity to the IATA Agreements, subject, where applicable, to conditions previously imposed which are compromised of resolutions affecting travel between the United States and Austria/Belgium/Germany/Netherlands/Scandinavia/Switzerland (the “alliance countries”) in Docket OST-98-4015, and similar resolutions between the United States and the rest of Europe (the non-alliance countries”) in Docket OST-98-3985. Both agreements increase normal fare levels.</p> <p>Served 8-10-98</p>	8-4-98
98-8-4	OST-97-2323	<p>APPLICATION OF NORTHERN AIR CARGO INC., NAC NETWORK, INC. D/B/A NACNET AND THE TRUSTEE IN BANKRUPTCY FOR MARKAIR EXPRESS, INC. FOR APPROVAL OF A TRANSFER OF A CERTIFICATE UNDER 49 U .S.C. 41105</p> <p>The Department, acting under authority assigned in its Regulations, 14 CFR 385.12(a)(5)(i) (1) reissues to NAC Network, Inc. d/b/a NACNET the certificate of public convenience and necessity reissued to it by Order 97-8-2, to reflect the limitations on the authority contained therein and its effective date. (2) Confirms its oral action of July 30, 1998, making the certificate issued to NAC Network, Inc. d/b/a NACNET effective on July 31, 1998, with respect to interstate charter air transportation of passengers and interstate scheduled air transportation of cargo and mail. and; (3) Directs NAC Network, Inc., to submit to the Air Carrier Fitness Division a first-year progress report, within 45 days following the end of its first year of actual flight operations.</p> <p>Served 8-10-98</p>	8-4-98

Order	Docket	Summary	Date Action Taken
98-8-5	OST-97-2607 OST-97-2727	The Department approves and grants antitrust immunity to the IATA Agreement, subject, where applicable, to conditions previously imposed which contained two resolutions. R-1, Passenger Agency Conference Resolution 898a, <u>Electronic Reservation Services Providers</u> (ERSP's), establishes listing procedures for entities seeking to be registered by IATA as electronic reservation services providers, and certain conditions for listing. R-2, Passenger Services Conference Recommended Practice (R.P.) 1784, <u>Electronic Reservation Services Providers</u> , recommends procedures to be followed by ERSP's, airlines, and CRS's when selling air transportation via electronic commerce, and further defines terms and limitations of ERSP's Served 8-11-98	8-5-98
98-8-6	DOCKET 37554	ESTABLISHMENT OF THE STANDARD FOREIGN FARE LEVEL Effective August 1, 1998, pursuant to Title 49 of the United States Code, fares may be increased by the following adjustment factors over the October 1979 level, as amended: Atlantic 1.3381 Latin America 1.4519 Pacific 1.5463 Posted 8-5-98	8-5-98
98-8-7	OST-98-3615	COMPLAINT OF US AIRWAYS, INC. AGAINST THE GOVERNMENT OF THE UNITED KINGDOM UNDER 49 U.S.C. SECTION 41310 The Department extends through September 8, 1998, the period for taking action on the complaint of US Airways, Inc., in this Docket. Served 8-13-98	8-7-98
98-8-8	OST-97-2086	APPLICATION OF PRIME AIR, INC. D/B/A TRANSMERIDIAN AIRLINES FOR	8-7-98

Order	Docket	Summary	Date Action Taken
		<p>AN EXEMPTION FROM THE PROVISIONS OF 49 U.S.C 41101</p> <p>The Department, acting under authority assigned in its regulations, 14 CFR 385.12, dismisses, without prejudice, the application filed in this Docket by Prime Air, Inc., d/b/a TransMeridian Airlines.</p> <p>Served 8-13-98</p>	
98-8-9	OST-95-232	<p>INTERNATIONAL AIR TRANSPORT ASSOCIATION AGREEMENT RELATING TO LIABILITY LIMITATIONS OF THE WARSAW CONVENTION</p> <p>The Department accepts for filing in Air New Zealand's tariff in implementation of the waiver under the IATA Agreement on Measures to Implement the IATA Inter-carrier Agreement the Air New Zealand proposed provision in its amended filing in this Docket on July 28, 1998, with respect to non-application of the waiver for "public social insurance or similar bodies (except with respect to any such bodies of the United States)..."</p> <p>Served 8-7-98</p>	8-7-98
98-8-10	UNDOC'D	<p>SWISSAIR, SWISS AIR TRANSPORT COMPANY, LTD., AND DELTA AIR LINES, INC. VIOLATION OF ORDER 95-2-34</p> <p>The Department approves this settlement and the provisions of this order as being in the public interest and finds that Delta Air Lines, Inc., and Swissair, Swiss Air Transport Company, Ltd., violated Order 95-2-34 when Swissair flew over restricted airspace established by the Federal Aviation Administration on flights carrying the Delta Air Lines' code. Therefore, Delta Air</p> <p>Continued.....</p> <p>Continued.....</p>	8-10-98
98-8-10	UNDOC'D	<p>Lines, Inc. and Swissair, Swiss Air Transport</p>	8-10-98

Order	Docket	Summary	Date Action Taken
		<p>Company, Ltd., Inc. are ordered to cease and desist from the activities described, and Swissair, Swiss Air Transport Company, Ltd. shall pay \$50,000 as a compromise of civil penalties that might otherwise be assessed for the violations described in this order.</p> <p>Served 8-10-98</p>	
98-8-11	OST-98-3843 OST-98-3704 OST-98-3703	<p>ESSENTIAL AIR SERVICE AT FAIRMONT, MINNESOTA; NORFOLK, NEBRASKA; YANKTON, SOUTH DAKOTA UNDER 49 U.S.C. 41731 <i>et seq.</i></p> <p>The Department requires Great Lakes Aviation, Ltd., d/b/a United Express, to maintain essential air service at Fairmont, Minnesota, Norfolk, Nebraska, and Yankton, South Dakota, as set forth in Appendix C of Order 98-5-19, for an additional 30-day period through September 23, 1998, or until a carrier capable of providing reliable replacement service actually begins service, whichever is first.</p> <p>Served 8-14-98</p>	8-10-98
98-8-12	UNDOC'D	<p>IN THE MATTER OF U.S.-TOKYO AIR SERVICES</p> <p>The Department makes final its tentative decision in Order 98-7-20, as modified by this order, and awards the 22 1998/99 winter – season slots for services at Tokyo's Narita Airport as follows:</p> <p>Polar Air Cargo                      16 Slots</p> <p>United Parcel Service:              2 Slots</p> <p>Federal Express Corp:              4 Slots (whichever includes the two winter-season only slots)</p> <p>Served 8-11-98</p>	8-11-98